



Insurance Department

State of Utah

GARY R. HERBERT

Governor

GREG BELL

Lieutenant Governor

TODD E. KISER

Acting Commissioner

State of Utah Title and Escrow Commission Meeting Meeting Information

Date: March 11, 2013

Time: 9:00 AM

Place: East Bldg, Spruce Room

MEMBERS

(Attendees = x)

COMMISSION MEMBERS

xChair, Larry Turner Blake, *Washington Cnty*

xJerry M. Houghton, *Tooele Cnty*

Co-Chair, Kirk Donald Smith, *Weber Cnty*

xDirk Keyes, *Public Member*

xCortlund G. Ashton, *Salt Lake Cnty*

DEPARTMENT STAFF

xPerri Babalis, *AG Counsel*

Brett Barratt, *Deputy Comm.*

xMark Kleinfeld, *ALJ*

Suzette Green-Wright, *MC Dir.*

xTammy Greening, *Examiner*

Adam Martin, *Examiner*

xJilene Whitby, *PIO Recorder*

PUBLIC

David Moore

Branden Allen

Roy Poll

Carol Yamamoto

Pete Stevens

Blake Heiner

James Seaman

Tige Garner

AGENDA

General Session: (Open to the Public)

- **Welcome / Larry Blake, Chair 9:00am**

Larry welcomed attendees and Commissioner Kiser. Commissioner Kiser thanked Board members for their service.

- **Adopt Minutes of Previous Meeting**

Jerry made a **motion** to approve the minutes, Cort seconded it and the vote was unanimous.

- **Reports**

- **Concur with Licensee Report / Tammy**

Jerry asked if lapsed licensees were being investigated. Tammy clarified that the lapse date is the date the license lapses; there is no window. Larry thought more were being lapsed than fined. Tammy said many were getting out of the business or moving. The department asks those that reinstate if they did any business while their license was lapsed. Dirk made a **motion** to concur, seconded by Jerry and the vote was unanimous.

- **Concur with Complaint & Enforcement Reports / Tammy**

Jerry made a **motion** to concur, seconded by Cort and the vote was unanimous.

- Request for Dual Licensee Expedited Request: None

- Request for Attorney Exemption: None

- **Administrative Proceedings Action / ALJ**

- **Stipulation & Order: Artisan Title Insurance Agency, Inc.**

Mark said Artisan's license lapsed August 31, 2012 and was reinstated September 26, 2012. In the interim 82 closings were performed. Proposed forfeiture of \$1,500. Cort made a **motion** to approve, seconded by Dirk and the vote was unanimous.

- Request for a Hearing: None

- Order on Motion: None

- Informal Adjudicative Proceeding & Order: None

- Formal Adjudicative Proceeding: None

- **Old Business**

- **Discuss Legislation related to Rule R592-17, “Minimum Mandatory Search for a Real Estate Transaction.”**

HB47 has been passed and enrolled and is now waiting for the Governor’s signature. If not vetoed the mandate to write this rule will be eliminated. Put on next month’s agenda.

- **Discuss Legislation related to Rule R592-16, “Agency Supervision by Qualifying Licensee.”**

James said that the final bill will do away with the need for this rule. Leave on agenda for next month.

- **Review of SIRCON kna Vertafore Online Update of License Information / Jerry & Carl**

- Carl reported that Sircon had found and fixed some problems. Corrections put into place February 16th.
- Jerry said that when one’s information has been synchronized the confirmation number is not shown on the dashboard. A man from another title company has had problems since August. A person that was helping him in Sircon said that she had been helping a lot of people with similar problems. She said Sircon was not user friendly. Updates are not shown for several days after being made so you don’t know if they will take or not. Jerry said he was unable to add a person so he called the state and they did it for him.
- Jerry was concerned that some licensees were shown as being associated with companies that were out of business. Tammy said that if the company has not canceled the designation or notified the department that they were going out of business then we don’t know. Tammy said [Bulletin 90-1, Requirements Pertaining to Orderly Withdrawal from the Utah Title Insurance Marketplace](#), describes the steps an agency must take when they go out of business.
- Jerry said that if you call Sircon or the State for help they point to the other as the reason for the problem and the one that has to resolve it.
- Jerry said Sircon does not let you see agency information like it does individual. Carl said that should be resolved within the next few months. They have been working on it for 1 ½ years.
- Jerry said he was told that Sircon had been hacked. Carl said it had not. Commissioner said the state receives 150 million cyber-attacks a day.
- Larry asked if the Department had received other complaints. Tammy said she receives calls from individuals about the process.

- **New Business**

- **New Business**

- Larry said he received a call from Brett that HB 256 would eliminate subsection 7(c) of Rule R592-7. The bill is circled on the Senate’s third reading calendar. Put on next month’s agenda. If bill passes they will discuss how to modify the rule.

- **Other Business**

- Legislation = Discussed in Old Business.

Executive Session (Closed to Public) None

General Session: (Open to the Public)

- **Adjourn:** At 9:30AM Cort made a motion to adjourn and Jerry seconded it.
- **Next Meeting: April 8**

2013 Meeting Schedule in Spruce Room

(2nd Monday except on holidays, then 3rd Monday)

Jan 14	Feb 11	Mar 11	Apr 8	May 13	June 10
July 8	Aug 12	Sep 9	Oct 21	Nov 18	Dec 9